

REMARKS

Applicants respectfully request reconsideration of this application as amended.

The drawings were objected to by the Examiner. Formal drawings are being submitted under separate cover.

Office Action Rejections Summary

Claims 1-4, and 7-21 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,363,065 of Thornton et al. ("Thornton").

Claims 5-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Thornton as applied to claims 1-4 above, in view of U.S. Patent No. 6,075,942 of Cartwright, Jr. ("Cartwright").

Status of Claims

Claims 1-21 are pending in the application. No claims have been amended. No claims have been added. No new matter has been added. No claims have been canceled.

Claim Rejections

Claims 1-4 have been rejected under 35 U.S.C. §102(e) as being anticipated by Thornton. It is submitted that claim 1 is patentable over Thornton.

Claim 1 recites:

An apparatus comprising:

- a private branch exchange (PBX) switch;
- a residential gateway to receive channel associated signals (CAS) from the PBX switch;
- a **programmable** CAS module to convert the CAS signals into signals of another telephony protocol.

(emphasis added)

The Office Action states:

Claim 1, Thornton teaches an apparatus comprising a private branch exchange (PBX) switch (FIG. 1, column 1 lines 7-22) referenced by the PBX 14, a residential gateway to receive channel associated signals (CAS) from the PBX switch (FIG. 2, column 12 lines 42-60) referenced by the T1/E1 Transceiver/Framer 270 connecting to the PBX using CAS signaling, a **programmable CAS module to convert the CAS signals into signals of another telephony protocol (FIG. 5, column 27 lines 31-41, column 28 lines 25-46)** referenced by the T1AB software module 575 handling CAS AB bits interaction with the Call Handler 560 for conversion to H.323 protocol module 563 for Voice Over IP.

(Office Action, 12/7/04, page 2)(emphasis added)

Applicant respectfully disagrees with the Office Action's assertions and characterization of the reference. First, as noted by the Key on Figure 5 of Thornton, T1AB 575 is not a "software module" as purported by the Office Action but, rather, a process. The only software module described in the call processing (CH) section 550 is H.323 driver 563. CH process 560, operating in conjunction with H.323 protocol stack 563 through function calls, processes, in accordance with the H.323 standard, incoming H.225.0 call control messages and generates such outgoing H.225.0 messages. In as much as stack 563 is implemented using a library, i.e., this stack is process-less, portal H.323 process (P.323 process) 553 provides a TCP/IP transport layer interface to the stack. Process 553 connects through a socket into TCP/IP process 535 and performs read and write operations into H.323 stack 563 in order to provide H.225.0 messages destined to CH process 560 and transport such messages generated by the CH process over the LAN and, from there, the private data network. (Thornton, col. 29, lines 33-45). Moreover, H.323 driver 563 does not appear to be programmable. Furthermore, nothing in Thornton describes CAS manager 830 of

Figure 8 as being a programmable module. (Thornton, col. 33 line 26 to col. 34, line 38).

It is submitted that Thornton does not disclose a “programmable CAS module” as recited in claim 1. Therefore, it is submitted that claim 1 is patentable over Thornton.

It is submitted that claims 2-4 are also patentable over Thornton because claims 2-4 depend from and, therefore, include the limitations of claim 1.

Claims 5-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Thornton as applied to claims 1-4 above, in view of Cartwright. Claims 5-6 depend from and, therefore, include the limitations of claim 1. It is submitted that Cartwright fails to cure the deficiencies of Thornton noted above with respect to claim 1 and, therefore, claims 5-6 are patentable over Thornton in view of Cartwright.

Claims 7-21 have been rejected under 35 U.S.C. §102(e) as being anticipated by Thornton. It is submitted that claim 7 is patentable over Thornton.

Claim 7 recites:

A method comprising:
allowing a user to define a state, an event, or an action of a telephony protocol;
downloading the user defined state, event, or action to a channel associated signal (CAS) engine; and
changing a telephony protocol of the CAS engine corresponding to idle telephone lines associated with the CAS engine based on the user defined state, event, or action.

(emphasis added)

The Office Action states:

Claims 7, 12, Thornton teaches a method and apparatus comprising allowing a user to define a state, an event or an action of a telephony protocol (FIG. 1, FIG. 10, column 22 lines 33-41) referenced by the user interface to set system configuration parameters and invoking internal test procedures such as the Peer Border Element Manager State Machine comprising of events and actions towards establishing VoIP connection, downloading the user defined state event or action to a channel associated signal (CAS) engine (column 22 lines 33-41) referenced by the user interface downloading of internal operational statistics and software modules wherein the software modules being generic includes the CAS Manager, **and changing a telephony protocol of the CAS engine corresponding to idle telephone lines associated with the CAS engine based on the user defined state event or action (FIG. 5, FIG. 10, column 25 lines 12-35)** referenced by the user interface via a command test library update of the software with execution of the tests for T1/E1 framing which is essential to CAS signaling with the Peer Border Element Manager operating from the initial idle state.

(Office Action, 12/7/04, pp. 4-5)

Applicant respectfully disagrees with the Office Action's assertions and characterization of the reference. The column 25, lines 12 to 35 passage of Thornton cited to by the Office Action in support of its assertions does not refer to the operations of a CAS engine, let alone changing a telephony protocol of a CAS engine. It is submitted that at the above noted passage, Thornton describes the operation of conventional web server 514 of Figure 5 and does not even mention the CAS manager 830.

Nothing in Thornton discloses changing a telephony protocol of a CAS engine corresponding to idle telephone lines associated with the CAS engine based on the user defined state, event, or action, as recited in claim 7. Therefore, it is submitted that claim 7 is patentable over Thornton.

It is submitted that claims 8-11 are also patentable over Thornton because claims 8-11 depend from and, therefore, include the limitations of claim 7.

For reasons similar to those given above in regards to claim 7, it is submitted that claims 12-21 are patentable over Thornton.

In conclusion, applicants respectfully submit that in view of the arguments set forth herein, the applicable rejections have been overcome.

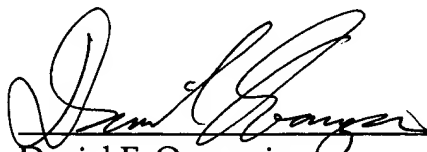
If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Daniel Ovanezian at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

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Dated: 4/18, 2005


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